



U.S. Department of Justice  
United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

December 2, 2019

**By ECF and Email**

The Honorable Kimba M. Wood  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

**MEMO ENDORSED**

**Re: United States v. David Valerio, 19 CR 589 (KMW)**

Dear Judge Wood,

The Government writes respectfully to request an adjournment of the conference scheduled for later today, December 2, 2019 at 2:00 PM, because the Government understands that, due to its oversight for which it apologizes to the defendant and the Court, the United States Marshal Service will not be able to produce the defendant before the Court. With the consent of counsel to the defendant, the Government requests an adjournment to December 5, 2019 at 2:00 PM, a date and time that the Government understands is convenient to the Court. Because this brief adjournment will afford counsel to the defendant a further opportunity to meet with the defendant, which both counsel to the defendant and the Government believe will clarify whether a pre-trial disposition is possible on December 5, 2019 or the date of any subsequent adjournment, with the further consent of counsel to the defendant, the Government requests respectfully that the Court exclude time under the Speedy Trial Act from today, December 2, 2019, through December 5, 2019 or the date of any subsequent adjournment pursuant to 18 U.S.C. § 3161(h)(7) on the basis that the best interest of the public and the defendant in a speedy trial are outweighed by the interest of the defendant in fully considering the possibility of a pre-trial disposition.

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney

By: Thomas John Wright

Thomas John Wright  
Assistant United States Attorney  
(212) 637-2295

*The conference is  
adjourned until  
December 5, 2019,  
at 2:00 p.m.*

Enclosure: Proposed Order

cc: Ian Marcus Amelkin (Federal Defenders of New York, Inc.) (by ECF and Email)

SO ORDERED, N.Y., N.Y.

*Kimba M. Wood*

12/2/19 KIMBA M. WOOD  
U.S.D.J.